

REMARKS

Claims 9-13 and 66 are pending. Claim 9 has been amended. Applicant reserves the right to pursue the original and other claims in this and any other application.

Claims 9-13 and 66 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Allegedly Admitted Prior Art ("AAPA"). The rejection is respectfully traversed.

Claim 9 recites a memory device comprising, "a respective dielectric layer overlaying each said nitride layer, the dielectric layer being spaced from each said vertical oxide spacer by said nitride layer such that said dielectric layer is not in direct contact with said vertical oxide layer."

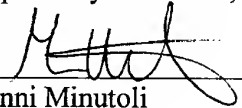
By contrast, the AAPA cited by the Office Action teaches a memory device in which the dielectric layer 21 is in direct contact with the vertical oxide spacers 11 at the top 14. (FIG. 3) Therefore, the rejection of claim 9 should be withdrawn and the claim allowed.

Claims 10-13 and 66 depend from claim 9 and are allowable along with claim 9 for at least the reasons stated above with respect to claim 9 and on their own merits. Therefore, the rejection of claims 10-13 and 66 should be withdrawn and the claims allowed.

In view of the above, applicant respectfully submits the application is in condition for allowance and requests that it be passed to issue.

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Respectfully submitted,

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